

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 112

May 14, 1996, 2:48 p.m.  
Page S-4993 Temp. Record

## WHITE HOUSE UNJUST FIRINGS/Repeal of the Clinton Gas Tax

**SUBJECT:** Reimbursement of Former White House Travel Office Employees . . . H.R. 2937. Dole motion to close debate on the Dole amendment No. 3961 to the Dole amendment No. 3955 to the Dole motion to commit with instructions.

### ACTION: CLOTURE MOTION REJECTED, 54-43

**SYNOPSIS:** As introduced, H.R. 2937, a bill to reimburse former White House travel office employees who were wrongfully terminated by the Clinton Administration, will direct the Secretary of the Treasury to reimburse the seven employees who were wrongfully terminated for the legal fees they incurred with respect to their termination. The Congressional Budget Office estimates the total cost of this bill to be \$500,000.

The Dole motion to refer the bill to the Judiciary Committee with instructions would direct the Committee to report the bill back forthwith.

The Dole amendment to the motion to refer with instructions would amend the effective date of the bill.

**The Dole second-degree amendment to the Dole amendment** would repeal the 4.3 cent gas tax imposed by Democrats in 1993. The repeal would be effective upon enactment of this Act. A report would be prepared by September 30, 1996 on whether the savings were passed through to consumers. Certain specified bands of spectrum would be auctioned to offset the costs of the gas tax repeal. A special assessment would be imposed to capitalize the Savings Association Insurance Fund (SAIF) and the SAIF would be merged with the Bank Insurance Fund (this second offset was included after it was determined that the auction offset did not totally offset the costs of the gas tax repeal, and the Democrats as a result threatened to kill the gas tax repeal with a procedural motion). Finally, the Dole amendment would express the sense of Congress that the savings from the repeal should be passed through to consumers.

On May 9, 1996, Senator Dole sent to the desk, for himself and others, a motion to close debate on the amendment.

NOTE: A three-fifths majority vote is required to close debate. Also pending at the time of the vote were a Dole substitute amendment, a Dole first-degree substitute amendment to the Dole amendment, and a Dole second-degree substitute amendment to the Dole first-degree amendment. The pending amendments made minor changes to the effective date of the bill, and filled all

(See other side)

YEAS (54)			NAYS (43)			NOT VOTING (3)	
Republicans (53 or 100%)	Democrats (1 or 2%)		Republicans (0 or 0%)	Democrats (43 or 98%)		Republicans (0)	Democrats (3)
Abraham	Helms	Baucus		Akaka	Inouye		Biden <sup>-2</sup>
Ashcroft	Hutchison			Bingaman	Johnston		Kerrey <sup>-2</sup>
Bennett	Inhofe			Boxer	Kennedy		Pell <sup>-1</sup>
Bond	Jeffords			Bradley	Kerry		
Brown	Kassebaum			Breaux	Kohl		
Burns	Kempthorne			Bryan	Lautenberg		
Campbell	Kyl			Bumpers	Leahy		
Chafee	Lott			Byrd	Levin		
Coats	Lugar			Conrad	Lieberman		
Cochran	Mack			Daschle	Mikulski		
Cohen	McCain			Dodd	Moseley-Braun		
Coverdell	McConnell			Dorgan	Moynihan		
Craig	Murkowski			Exon	Murray		
D'Amato	Nickles			Feingold	Nunn		
DeWine	Pressler			Feinstein	Pryor		
Dole	Roth			Ford	Reid		
Domenici	Santorum			Glenn	Robb		
Faircloth	Shelby			Graham	Rockefeller		
Frist	Simpson			Harkin	Sarbanes		
Gorton	Smith			Heflin	Simon		
Gramm	Snowe			Hollings	Wellstone		
Grams	Specter				Wyden		
Grassley	Stevens						
Gregg	Thomas						
Hatch	Thompson						
Hatfield	Thurmond						
	Warner						

#### EXPLANATION OF ABSENCE:

1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

parliamentary openings for offering amendments.

**Those favoring** the motion to invoke cloture contended:

The only issue that is before the Senate now is whether the Democrats' 4.3 cent gas tax should be repealed. Republicans, who are in the majority, opposed this tax when it was enacted in 1993, and strongly favor its repeal now. President Clinton has said that if Congress presents him with a repeal of the tax, he will sign it. Many Democratic Members have said that they support the repeal as well. Passing this amendment will not have any effect on the Democrat's filibuster of this bill, which is being conducted because they want to attach a minimum wage amendment. Therefore, based on what everyone has said, one would expect that this amendment would pass overwhelmingly.

One would be wrong. The leaders of the Democratic Party do not want to repeal the damaging gas tax that they imposed because doing so would be an admission that they were wrong in imposing it in the first place. They have therefore let their Members know that they must toe the party line and vote against cloture. Perhaps one or two Members who are in tough reelection fights will be allowed to vote in favor of the repeal, but we are quite certain that enough Democrats will obey orders to vote against cloture that we will not win on this vote.

Some Democrats, in fairness, have been very vocal in their opposition to the repeal of the gas tax based on policy considerations. They have said that it would be foolish to reduce Government revenues at a time when we are trying desperately to bring the budget into balance. We respectfully disagree. America runs huge deficits every year because the Federal Government spends too much, not because it taxes too little. Taxes have risen steadily over the past several decades, and spending has risen even faster. If our Democratic colleagues would ever show some willingness to restrain spending, we might give their protestations on tax cuts a little more consideration. However, even though some Democrats are clearly concerned about reducing the rate of growth in spending, when push comes to shove they will vote with their party on the big spending proposals. If Democrats are going to have us believe that any tax increase they enact is not going to be immediately spent and then some, then they are going to have to start putting their principles ahead of their party and cast the tough votes.

The percentage of income that people pay in Federal taxes has grown steadily every year for the past several decades, but at the same time Federal spending has grown at an even faster pace. The percentage of income that people pay in Federal, State, and local taxes is at an all-time high. For instance, the median income for a family of four in Georgia is \$45,093. The Federal taxes on that family are \$9,511, and the State and local taxes are \$5,234. These taxes are only the obvious burdens. Federal regulations also increase prices on goods and services that Americans buy. The cost of Federal regulations to this median income family in Georgia is \$6,615. On top of this expense, most families have mortgages, credit cards, and car payments on which they pay interest. If the Federal Government were not so deeply in debt and borrowing so much money, then a lot more money would be available for Americans to borrow, and interest rates would be much lower. For this typical family in Georgia, the excess interest payments it must make because of Federal borrowing total \$2,011 per year. Thus, in direct and hidden taxes, a typical, median income family in Georgia loses 52 percent of its income.

Average American families are understandably worried about their futures. With the high rate of actual and hidden taxes that are placed upon them, and with those taxes constantly growing, they are barely getting by and are worried how their children will be able to make a living when they start raising families. When President Clinton was first elected, he pushed through the largest tax hike in history, \$270 billion over 5 years, and \$400 billion over 7 years, without a single Republican vote. That tax increase included the gas tax, a tax on Social Security benefits, and a retroactive tax on the assets of people who have died. When Republicans took over Congress, they tried to undo most of the damage done by that tax hike, mostly by providing a \$500 per child tax credit (as part of a balanced budget proposal) but President Clinton vetoed that measure. He was not willing to balance the budget and provide tax relief as Republicans proposed because he was not willing to reduce the rate of growth in spending that they also proposed.

The most unfair, regressive part of the Democrat's 1993 world-record tax hike is the increase in the gas tax. Lower income people spend a much greater percentage of their disposable income on gas than do higher income people. For instance, according to the Bureau of Labor Statistics, in 1987 the poorest 20 percent of Americans devoted 8.8 percent of their expenditures to gasoline and motor oil, while the wealthiest 20 percent devoted only 3.1 percent. If the money being raised were used for transportation projects like building highways and bridges, it would not be so offensive, because the tax would then be effectively a user tax. In general, the people who paid the most tax would be the people who drove the most and thus got the most benefit from the spending on roads and bridges. However, none of the money raised by the 1993 tax hike is used for roads and bridges. Every penny goes directly to the general fund of the Treasury to pay for the Federal Government's operating expenses. Until the Democrats' 1993 tax hike, gas taxes were used solely to raise money for transportation trust funds (with the exception of a temporary, 2.5 cent tax that was imposed in 1990 as a condition of Democrats approving a budget agreement).

When President Clinton was still candidate Clinton, making promises in his quest for the White House, he wrote in his campaign book, "Putting People First," "I oppose Federal excise gas taxes." He also criticized his Democratic opponents Paul Tsongas' proposed gas tax by saying: "It sticks it to the lower income and middle-income retired people in the country, and it is wrong." As usual, we find ourselves a lot more in agreement with candidate Clinton than President Clinton. Now that we are on the eve of another

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presidential election, and President Clinton is again candidate Clinton, he seems to have again come around to our view. President Clinton is an election-year Republican.

In recent weeks the price of gas has risen sharply. Some Senators have attributed that rise to a temporary shortfall caused by more oil this winter being used to make heating oil than gasoline. Those Senators are only partly right. Numerous other pressures are causing gas prices to rise. For instance, the United States is increasingly dependent on foreign oil because environmentalists have effectively stopped most domestic development and exploration. In 1973, at the time of the Arab oil embargo, only one-third of our oil was imported. In 4 years, two-thirds of our oil will be imported. Other pressures include the increasing popularity of low-mileage vehicles (increasing demand for gas), expensive Clean Air Act requirements, and dwindling world supplies. Gas prices spiked up due to a temporary gas shortfall, and will come down a little, but we would not be surprised to seem them climb over \$2 in the near future. Looking at all the market pressures that we think are going to make gas prices rise, we think it is all the more imperative that we get rid of the Democrats 4.3 cent gas tax. It is going to be hard enough for middle- and low-income Americans to pay for the higher gas prices that are soon coming without having to pay this extra tax on top.

Some Democratic Senators, in looking for an excuse to vote against cloture, have said that they cannot support this amendment because it does not guarantee that the savings will be passed through to the consumers in the form of lower gas prices. We called them on that bluff. We offered a unanimous consent request to consider this amendment as a freestanding bill with only one amendment in order that would guarantee that the savings would be passed through to the consumers. They refused.

We think that the bottom-line is that the Democrats made a mistake in passing this tax a couple of years ago, and they will not own up to it now. Many Democrats, particularly in rural and Western States that have been especially hard hit because people drive much longer distances, would love to vote with Republicans on invoking cloture, but we know they will do what their party tells them to do instead of what they think is right. When we fail to invoke cloture, the losers will be the American people.

**Those opposing** the motion to invoke cloture contended:

Argument 1:

We are in favor of repealing the gas tax, though we certainly have some ambivalence because our Republican colleagues are obviously trying to make a political issue out of its repeal. Many of us would be happy to consider it and pass it; others of us will only pass it if we can be assured that the savings will be passed on to consumers instead of kept by rich oil companies. We initially were going to raise a point of order against the amendment because the funding source, spectrum auction sales, was not an adequate offset. The new offset that has been offered takes care of that concern, but we are not willing to rush this matter through. More importantly, we are not willing to move forward on a repeal of the gas tax until we act on the minimum wage. Our Republican colleagues have been stalling on that issue, and until they let it pass, we are going to refuse to close debate on anything they bring to the floor.

Argument 2:

Repealing the gas tax, which consumers are reminded exists every time they fill up their cars at the pump, is unarguably attractive as a matter of raw politics, but it is terrible as a matter of public policy. We are beginning to make sustained progress on bringing down the deficit, and a consensus has even emerged in Congress that the budget will be balanced by 2002. We should not take any action that moves us away from that course. Further, we find it very hard to believe that this tax is proving to be an enormous burden on Americans at a time when Americans are driving longer distances, more often, in less fuel-efficient cars than they were before. Finally, as some Senators have noted, oil is a dwindling resource for which we are becoming increasingly dependent on foreign supplies. Higher gas prices, however unpopular, encourage conservation and lessen dependence on foreign supplies of oil. We know that in a political year especially it is not easy to vote against a repeal of an unpopular tax, but we urge our colleagues to join us in voting against cloture.